

PHLY-24,739



GP 2755

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan PHILYAW and David Kent MATHEWS
Serial No.: 09/382,423
Filed: August 24, 1999
Group: 2755
Examiner: Not Yet Assigned
For: METHOD AND APPARATUS FOR UTILIZING AN AUDIBLE SIGNAL TO INDUCE A USER TO SELECT AN E-COMMERCE FUNCTION

Assistant Commissioner for
Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on

27 SEPT. 2000

(Date of Deposit)

John J. Arnott Reg. No. 39,095

(Name of Person Mailing Document)

John J. Arnott

9/27/00

(Signature)

(Date of Signature)

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, attached please find a Form PTO-1449 listing information for consideration by the Office in connection with its examination of the above-captioned patent application. This information disclosure statement supplements an information disclosure statement previously submitted in connection with this application on September 22, 1999.

It is brought to the Examiner's attention that the references listed on the attached Form PTO-1449 were previously submitted to the Office in connection with a prior application, namely Application Serial No. 09/151,471, which is relied upon in the current application for an earlier filing date under 35 U.S.C. §120. Pursuant to 37 C.F.R. 1.98(d), copies of such previously submitted items are not provided herein.

To Applicants' knowledge, this information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Therefore, pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed necessary for its consideration. Applicants request that this information disclosure statement be considered and that a copy of the Form PTO-1449 be returned to the undersigned indicating the consideration of each document listed.

REMARKS

Applicants submit that no representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of these materials in any way reflects their relevant pertinence. The listing on the attached Form PTO-1449 is not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that any of the items listed are properly citable against the above-identified application as prior art. Applicants respectfully submit that their invention is patentable over the enclosed documents listed on Form PTO-1449.

Please charge any additional fees or deficiencies in fees necessary for the filing of this paper or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,739 of HOWISON, CHAUZA, HANDLEY & ARNOTT, L.L.P.

Respectfully submitted,

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